

ADAMS, J.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

JOHN MILLER, JR., et al.,	)	CASE NO. 5:06CV769
	)	
Plaintiffs,	)	JUDGE JOHN R. ADAMS
	)	
v.	)	
	)	<u>MEMORANDUM OF OPINION</u>
The City of Canton, et al.,	)	<u>AND ORDER</u>
	)	
Defendants.	)	

In this action, Plaintiffs allege violations of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.*; 42 U.S.C. §§ 1981& 1983, and Ohio Rev. Code § 4112. This matter is presently before the Court upon the Report and Recommendations (Docs. 60 & 62 ) of a magistrate judge of this Court.

The Court referred the above-entitled action to Magistrate Judge Patricia A. Hemann pursuant to 28 U.S.C. § 636 and Local Rules 72.1 and 72.2(a) for mediation and for a report containing proposed findings and a recommendation for disposition of the following motions:

Defendants' Motion for Summary Judgment Regarding Plaintiff Fowler's Claims (Doc. # 39); and

Defendants' Motion for Summary Judgment Regarding Claims of Plaintiffs Miller and the Canton Police Patrolmen's Association (Doc. 40).

The Court has reviewed *de novo* both Report and Recommendations, filed on October 9, 2007 and October 18, 2007. The Court has considered Plaintiffs' Objections (Doc. 69) and Defendants' Response (Doc. 72). The Court finds that the Report and Recommendation is well-supported and that Plaintiffs' Objections are without merit. The Court agrees with the

conclusion of the Magistrate Judge that Defendants' Motions for Summary Judgment should be granted. The Court adopts the findings of fact and conclusions of law of the Magistrate Judge as its own. Therefore, the Report and Recommendation is hereby ADOPTED and Plaintiffs' Objections are OVERRULED. Accordingly,

Defendants' Motion for Summary Judgment against Plaintiff Fowler (Doc. 39) is GRANTED upon the grounds that there is no genuine issue as to any material fact and the movants are entitled to a judgment as a matter of law. Additionally, Defendants' Motion for Summary Judgment against Plaintiffs Miller and the Canton Police Patrolman's Association, Inc. (Doc. #40) is GRANTED upon the grounds that there is no genuine issue as to any material fact and the movants are entitled to a judgment as a matter of law.

IT IS SO ORDERED.

January 9, 2008  
Date

s/ John R. Adams  
John R. Adams  
U.S. District Judge